

**MILLIS CONSERVATION COMMISSION  
MEETING MINUTES  
Room 104, Veterans Memorial Building, 900 Main St., Millis, MA  
May 16, 2022**

The meeting was brought to order at 7:00 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Chair

Carol Hayes, Vice Chair

Ed Chisholm, David Larsen, Scott McPhee, John Steadman

Jonathan Niro, BETA

Members Absent: Christine Gavin

Others present: Beth Fitzpatrick, RPS, South Kingstown, RI  
Fran Rossi, Tresca, 66 Main St.  
Dan Merrikin, Legacy Engineering  
Michael Curatola, Silva Development  
Paul J. DeSimone, Colonial Engineering, 11 Awl St., Medway  
Larry & Doreen Hayes, 3 Dean St.  
Andrew Johnson, LEC  
Ted Merchant, Toll Bros.  
David Rachmaciej, DPW  
David Werner, 91 Ridge St.  
John McAvoy, 63 Hilltop Drive

**DEP FILE #CE225-0436, NOTICE OF INTENT, PUBLIC HEAR., 4 BLUEBERRY LN.**

The public hearing was opened at 7:01 p.m. with notice being read by Dr. Lederer, Chair.

Mr. DeSimone, representing the applicant, presented the application and plan. The construction of a single-family dwelling and septic system is proposed. Mr. DeSimone discussed the proposed grading around the house and stated that they are “not taking material off-site” and the Earth Removal Permit before the Planning Board was withdrawn. He stated that once the materials/fill are moved, he will come back to the Commission with a planting plan prepared by a wetlands specialist. All construction of the house is outside the buffer zone, he said.

There was discussion regarding extending the erosion controls in the northern end. Mr. DeSimone will submit a revised plan showing the extension of the erosion controls as requested by the Commission.

On a motion made by Dr. Lederer, seconded by Ms. Hayes, it was voted unanimously at 7:23 p.m. to close the public hearing.

On a motion made by Ms. Hayes, seconded by Mr. Steadman, it was voted unanimously to approve an Order of Conditions, with Special Conditions, for DEP File #CE225-0436, 4 Blueberry Lane.

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**DEP FILE #CE225- 0435 ABBREVIATED NOTICE OF RESOURCE AREA  
DELINEATION, PUBLIC HEARING, CONT., 1178 MAIN ST.**

The public hearing continuation was opened at 7:28 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, presented the application and plans. The applicant has requested review of approximately 692 linear feet of a Bordering Vegetated Wetland (BVW) boundary as delineated in the field and on the plans. Mr. Merrikin stated that two site visits were conducted in the field by BETA and Goddard Consulting.

Mr. Niro of BETA, the Commission's peer reviewer, summarized his letter, dated May 16, 2022, and recommendations. Mr. Niro requested that the applicant amend "General Notes #3" on the plan to include the source, date of the survey, and date of the wetland delineation. Mr. Merrikin will add the note as requested and date the revised plan May 16, 2022.

On a motion made by Mr. Steadman, seconded by Mr. Larsen, it was voted unanimously at 7:33 p.m. to close the public hearing.

On a motion made by Dr. Lederer, seconded by Mr. Steadman, it was voted unanimously to approve the Order of Resource Area Delineation as drafted/recommended by BETA for DEP File #CE225-0435, 1178 Main Street.

**3 DEAN STREET – INFORMAL DISCUSSION  
LARRY & DOREEN HAYES**

Mr. & Mrs. Hayes would like to build an attached garage on their property at 3 Dean Street. According to Mr. Hayes, they would have to move the septic system and an existing brick wall may need to be removed. They would also like to extend the driveway and install a handicap ramp.

Mr. Merrikin stated that the entire lot is in the riparian zone. They also must test with the Board of Health for relocating the septic system. He will work with the Hayes' on a plan and a Notice of Intent will be filed.

**DEP FILE #CE225-0400 & #CE225-0431 – REGENCY AT GLEN ELLEN  
INFORMAL DISCUSSION – TED MERCHANT, TOLL BROS.  
ANDREW JOHNSON, LEC ENVIRONMENTAL CONSULTANTS**

Mr. Niro summarized is latest review letter, dated May 5, 2022. There were six unaddressed comments regarding erosion controls, stabilization, and discharge of sediment. Mr. Merchant stated that they will take care of the items. The Commission requires that these items be addressed within two weeks.

Mr. Johnson of LEC summarized his memorandum, dated May 16, 2022. Mr. Niro has not been provided adequate time to review this and respond.

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On a motion made by Mr. Steadman, seconded by Mr. McPhee, it was voted 5-1 to accept LEC Environmental's wetland replication monitoring report, dated March 9, 2022, as the final monitoring report due to the Commission for the replication area. Mr. Chisholm abstained. The motion passed.

There was discussion regarding invasive management. Mr. Johnson clarified that invasive management would continue within the wetland restoration area, but not the replication area. Mr. Niro did request, however, that invasive species be removed from the wetland replication area if observed during invasive species management in the restoration area. Mr. Johnson stated that would do that.

Mr. Niro will submit a review memo to the Commission once he reviews LEC's latest letter, dated May 16, 2022.

**TRESCA BROTHERS, 66 MAIN STREET**

**UPDATE/DISCUSSION RE: UNPERMITTED WORK NEAR POND (E/O)**

A site visit was conducted by the Commission on May 7, 2022. Ms. Hayes summarized the site visit report. Ms. Fitzpatrick had emailed the Commission on May 7, 2022, stating that Tresca had installed a silt fence in front of the culvert pipe on the Tresca side of Route 109.

There was discussion regarding clearing the culvert pipe. Mr. Rachmaciej of the DPW stated that they could do some of that work, at the applicant's expense, once they know the plan and design phase. Mr. Chisholm stated that the DPW will have to file an RDA for the pipe work.

A stabilization and revegetation plan will be presented at the June 6, 2022, meeting.

**DEP FILE #CE225-043 , NOTICE OF INTENT, PUBLIC HEAR., OAK GROVE FARM**

The public hearing was opened at 8:44 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Werner and Mr. McAvoy presented the Notice of Intent for the trail improvements project. Mr. Rachmaciej, representing the DPW, stated that they can do some of the work as long as there is a plan/design in place and the applicant provide the erosion controls. Mr. Werner stated that a plan is not in place for the catch basins at this time. He stated that they will not know the design phase until the excavation starts. Mr. Chisholm stated that the DPW will have to file an RDA for the pipe/culvert work.

As DEP has not yet assigned a file number, the public hearing cannot be closed at this time.

On a motion made by Ms. Hayes, seconded by Mr. McPhee, it was voted unanimously at 8:58 p.m. to continue the public hearing to Monday, June 6, 2022, 7:30 p.m.

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**DEP FILE #CE225-0419 – 13 FRONTIER LANE  
PARTIAL CERTIFICATE OF COMPLIANCE REQUEST  
DANIEL MERRIKIN, LEGACY ENGINEERING**

The Commission conducted a site visit on May 7, 2022. Ms. Hayes stated that the lawn area was not stabilized yet. There was a steep slope and it appeared that the erosion controls were not working properly. Mr. Merrikin stated that he would look into it. Discussion will be scheduled on the June 6, 2022, agenda.

**OTHER BUSINESS:**

**TREE PRESERVATION DISCUSSION**

Tabled until the June 6, 2022, meeting.

**MINUTES**

On a motion made by Mr. Steadman, seconded by Mr. McPhee, the meeting minutes from April 25, 2022, were unanimously approved as written.

Scheduled Conservation Commission Meetings: June 6, 2022

There being no further business, on a motion made by Mr. McPhee, seconded by Mr. Chisholm, and voted unanimously, the meeting adjourned at 9:16 p.m.

*Respectfully submitted,*

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*Camille Standley, Administrative Assistant*